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PART II—Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

New Delhi, the 28th May, 1977/Jyaistha 7, 1899 (Saka)

The following President's Act is published for general information:—

THE TAMIL NADU STATE HOUSING BOARD (AMENDMENT) ACT, 1977

No. 9 OF 1961

Enacted by the Vice-President acting as President in the Twenty-eight Year of the Republic of India.

A Bill further to amend the Tamil Nadu State Housing Board Act, 1961.

41 of 1970.

In exercise of the powers conferred by section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976, the Vice-President acting as President is pleased to enact as follows:—

Short title.

1. This Act may be called the Tamil Nadu State Housing Board (Amendment) Act, 1977.

Tamil Nadu Act 17 of 1961.

2. In the Tamil Nadu State Housing Board Act, 1961, section 19 shall be renumbered as sub-section (1) of that section, and

Amendment of section 19.

(1) in sub-section (1) as so renumbered,—

(i) for clause (d), the following clause shall be substituted, namely:—

“(d) for establishing and maintaining a provident fund, for compelling the officers and servants who were in the service of the Board on the 5th day of August, 1970 [except

such of them as opt to receive the pension referred to in clause (f)] to subscribe to that fund at such rates and subject to such conditions as may be specified in the regulations and for supplementing such subscriptions out of the funds of the Board:

Provided that nothing contained in this clause or in clause (f) shall apply to the servants of the Central Government or the State Government in respect of whom contribution is paid under section 150;”,

(ii) after clause (e), the following clause shall be inserted, namely.—

“(f) (i) for fixing the pension in respect of the officers and servants,—

(A) appointed to the service of the Board after the 5th day of August, 1970;

(B) who were in the service of the Board on the 5th day of August, 1970 and who opt to be governed by the regulations made under this clause:

Provided that the option aforesaid shall be exercised within such period as may be specified by the Government in this behalf and the option once exercised shall be final;

(ii) for determining the conditions (including conditions as to payment to a non-contributory provident fund), subject to which the officers and servants referred to in sub-clause (i) shall be entitled to receive pension;”,

(2) after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

“(2) Any regulation under clause (d) or clause (f) of sub-section (1) may be made so as to be retrospective to any date not earlier than the 5th day of August, 1970.”.

B. D. JATTI,

Vice-President acting as President.

K. K. SUNDARAM,

Secy. to the Govt of India.

Reasons for the enactment

Under the Tamil Nadu State Housing Board Act, 1961 (Tamil Nadu Act 17 of 1961), the employees of the Tamil Nadu State Housing Board are not entitled to pensionary benefits which the State Government employees are at present enjoying. The Government of Tamil Nadu have decided to amend section 19 of that Act so as to extend the pension scheme to such of those employees of the Tamil Nadu State Housing Board who were in the service of the Board on the 5th August, 1970, the date on which the State Housing Board passed a resolution to this effect, and who opt for the pension scheme. Persons appointed to the service of the Board on or after the 6th August, 1970 will however be eligible for pension. It has also been decided to empower the State Housing Board to make regulations for determining the conditions under which the officers and servants of the Board would be entitled to receive pension on retirement and the amount of such pension. Regulations which may be made by the Board for this purpose under section 19, as proposed to be amended, may be given retrospective effect from a date not earlier than the 5th August, 1970.

2. The present measure seeks to achieve the above objects.

3. The Committee constituted under the proviso to sub-section (2) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976 (41 of 1976) has been consulted before the enactment of this measure as a President's Act.

R. GOPALASWAMY,

*Joint Secy. to the Govt. of India,
Ministry of Works and Housing.*

